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April 11, 2005

By Express Mail (EV 606062225)

BOX TTAB FEE
Commissioner for Trademarks
P.O Box 1451
Alexandria, VA 22313-1451


Attention: Trademark Trial and Appeal Board

Re: Detroit Tigers, Inc.
Notice of Opposition Against
Requisite Solutions Incorporated's
Application to Register TIGER NATION
Attorney Ref. No. 21307.029

Dear Commissioner:

We enclose an original Notice of Opposition against Application Serial Number 78/347,988, published in the Official Gazette of October 12, 2004. We also enclose a check to cover filing fees.

If the enclosed check is insufficient and additional fees are required, please charge our Deposit Account No. 03-3415.


04-11-2005

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #66

Cowan, Liebowitz & Latman, P.C.

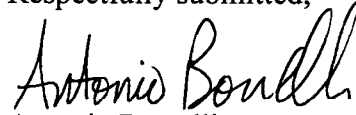
Commissioner for Trademarks

April 11, 2005

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Kindly confirm receipt of this opposition by returning the attached postcard and address all future correspondence to the attention of Mary L. Kevlin of Cowan, Liebowitz & Latman, P.C.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Antonio Borrelli". The signature is fluid and cursive, with the first name "Antonio" and last name "Borrelli" clearly distinguishable.

Antonio Borrelli

Enclosures

cc: Ms. Diane Kovach (w/encs. – by fax)
Mary L. Kevlin, Esq. (w/encs.)
Richard S. Mandel, Esq. (w/encs.)

TIAE

Ref. No. 21307.029

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 78/347,988
Filed: January 5, 2004
For Mark: TIGER NATION
Published in the Official Gazette: October 12, 2004

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:
DETROIT TIGERS, INC., :
:
:
Opposer, :
:
v. : NOTICE OF OPPOSITION
:
REQUISITE SOLUTIONS :
INCORPORATED, :
:
:
Applicant. :
-----X

Opposition No.

Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

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Opposer, Detroit Tigers, Inc. ("Opposer"), a Michigan corporation located at Comerica Park, 2100 Woodward Avenue, Detroit, Michigan 48201, believes that it will be damaged by registration of the word mark TIGER NATION in International Class 25 for "footwear; headwear; apparel, namely, T-shirts, shirts, shooting shirts, shorts, sweat pants, sweat shirts, pants, caps, hats, wrist bands, head bands, socks, warm-up suits, jackets, boxer shorts, and fleece tops" as shown in Application Serial No. 78/347,988 (the "Application"),



04-11-2005

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #66

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, P. O. Box 1451, Alexandria, VA 22313-1451 on

4/16/05
(Date of Deposit)

SHARON LYNCH

(Typed or printed name of
person mailing paper or fee)

Sharon Lynch
(Signature)

and having requested extensions of time to oppose up to and including April 10, 2005, hereby opposes the same.

As grounds for opposition, it is alleged that:

1. Opposer is the owner of the renowned DETROIT TIGERS MAJOR LEAGUE BASEBALL club.

2. Since long prior to January 5, 2004, Applicant's constructive first use date, Opposer, its predecessors, their affiliates, licensees and/or sponsors, have used marks that comprise or contain the word "TIGERS" or the design of a tiger alone, or with other word and/or design elements ("Opposer's TIGERS Marks") in connection with baseball game and exhibition services and a wide variety of goods and services, including, but not limited to, clothing, printed matter, novelty items, sporting goods and toys.

3. Opposer owns U.S. federal incontestable registrations for Opposer's TIGERS Marks in International Classes 06, 14, 16, 18, 21, 24, 25, 26, 28 and 41, namely, Registration Nos. 1,764,610, 1,983,453, 2,182,612, 2,001,049, 1,706,648, 1,480,101, 1,021,470 and 1,015,996.

4. Since long prior to January 5, 2004, Applicant's constructive first use date, Opposer, its predecessors, their affiliates, licensees and/or sponsors, have promoted and advertised the sale and distribution of goods and services bearing or offered in connection with Opposer's TIGERS Marks, including, but not limited to, baseball games and exhibition services and a wide variety of goods and services, including, but not limited to, clothing, printed matter, novelty items, sporting goods and toys and have sold or distributed such goods and rendered such services in commerce.

5. As a result of the extensive sales and promotion of its goods and services bearing or offered in connection with Opposer's TIGERS Marks, Opposer has built up highly valuable goodwill in Opposer's TIGERS Marks, and said goodwill has become closely and uniquely identified and associated with Opposer.

6. On January 5, 2004, Applicant Requisite Solutions Incorporated filed the Application, on an intent to use basis, to register the word mark TIGER NATION in connection with "footwear; headwear; apparel, namely, T-shirts, shirts, shooting shirts, shorts, sweat pants, sweat shirts, pants, caps, hats, wrist bands, head bands, socks, warm-up suits, jackets, boxer shorts, and fleece tops" in International Class 25.

7. Upon information and belief, Applicant did not use the mark TIGER NATION prior to its constructive first use date of January 5, 2004.

8. The goods covered by the Application are identical or closely related to the goods offered and services rendered in connection with Opposer's TIGERS Marks.

9. Applicant's TIGER NATION mark so resembles Opposer's TIGERS Marks as to be likely, when applied to Applicant's goods, to cause confusion, to cause mistake, and to deceive the trade and public, who are likely to believe that Applicant's goods have their origin with Opposer and/or that such goods are approved, endorsed or sponsored by Opposer or associated in some way with Opposer. Opposer would thereby be injured by the granting to Applicant of a certificate of registration for Applicant's TIGER NATION mark.

10. Upon information and belief, Applicant further intends to trade off the goodwill of several well-known college and professional sports teams including at least one other MAJOR LEAGUE BASEBALL club in a similar manner, by seeking to register

CARDINAL NATION, Application Serial No. 78/348,415. A notice of opposition against this application has been filed today by the St. Louis Cardinals, LLC.

11. Opposer would be further injured by the granting of a certificate of registration to Applicant because Applicant's TIGER NATION mark would falsely suggest a connection between Applicant and Opposer.

WHEREFORE, Opposer believes that it will be damaged by registration of Applicant's TIGER NATION mark and requests that the opposition be sustained and said registration be denied.


Please recognize as attorneys for Opposer in this proceeding Mary L. Kevlin, Richard S. Mandel and Antonio Borrelli (members of the bar of the State of New York) and the firm Cowan, Liebowitz & Latman, P.C., 1133 Avenue of the Americas, New York, New York 10036.

Please address all communications to Mary L. Kevlin, Esq. at the address listed below.

Dated: New York, New York
April 11, 2005

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: 

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